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*Plaintiff Zoya Kovalenko*

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*Attorneys for Defendants*

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

ZOYA KOVALENKO,

Plaintiff,

v.

KIRKLAND & ELLIS LLP, MICHAEL DE  
VRIES, MICHAEL W. DE VRIES, P.C.,  
ADAM ALPER, ADAM R. ALPER, P.C.,  
AKSHAY DEORAS, AKSHAY S. DEORAS,  
P.C., AND MARK FAHEY,

Defendants.

Case No. 4:22-CV-05990-HSG

**DECLARATION OF JOSEPH C.  
LIBURT IN SUPPORT OF JOINT  
STIPULATION REQUESTING  
EXTENSION OF CERTAIN  
DEADLINES**

1 I, Joseph C. Liburt, hereby declare:

2 1. I am a partner at the law firm of Orrick, Herrington & Sutcliffe, LLP. I represent  
3 Defendants Kirkland & Ellis LLP, Michael De Vries, Michael W. De Vries, P.C., Adam Alper,  
4 Adam R. Alper, P.C., Akshay Deoras, Akshay S. Deoras, P.C., and Mark Fahey (collectively,  
5 “Defendants”) in this matter. I have personal knowledge of the matters contained in this  
6 declaration. If called to testify to the matters set forth in this declaration, I would do so  
7 competently.

8 2. Good cause also exists to extend the deadlines discussed below because [REDACTED]  
9 [REDACTED] until the Court rules on the pending Plaintiff’s  
10 Motion to Enter Notice of Termination of Filippatos PLLC for Cause, Dkt. No. 171, and  
11 Filippatos PLLC and Hennig Kramer LLP’s Cross-Motion to Withdraw as Counsel, Dkt. No.  
12 177, both of which are scheduled for hearing on March 20, 2025 at 2:00 p.m. The parties believe  
13 that rulings on the pending motions will [REDACTED]  
14 [REDACTED]  
15 [REDACTED]

16 3. The parties seek to extend the below deadlines as follows:

- 17 a. Exchange of Opening Expert Reports extended from March 10, 2025, to May  
18 9, 2025;
- 19 b. Exchange of Rebuttal Expert Reports extended from April 10, 2025, to June 9,  
20 2025;
- 21 c. Close of All Discovery extended from May 12, 2025, to July 11, 2025; and  
22 d. *Daubert* Motion Hearing Deadline from August 7, 2025, at 2:00 p.m. to  
23 September 11, 2025, at 2:00 p.m.

24 2. The parties propose no change to the following deadlines:

- 25 a. Dispositive Motion Hearing Deadline of August 7, 2025, at 2:00 p.m.;
- 26 b. Pretrial Conference on November 4, 2025, at 3:00 p.m.; and  
27 c. Jury Trial (10 days) starting on December 8, 2025, at 8:30 a.m.

3. The previous time modifications in this case are as follows:

- a. A stipulation to specially set briefing schedule on Defendants' motions filed in response to Plaintiff's original Complaint was filed on December 20, 2022 (Dkt. 43) and granted on December 21, 2022 (Dkt. 44).
- b. A stipulation to extend deadlines to comply with initial discovery obligations pursuant to General Order No. 71 and to set briefing schedule for Defendants' Anti-SLAPP Motion was filed on January 9, 2023 (Dkt. 59) and granted on January 10, 2023 (Dkt. 61).
- c. A stipulation under Civil Local Rule 6-1(a) to extend time for Plaintiff to object/respond to K&E's first sets of interrogatories and requests for production from September 7, 2023 to October 9, 2023 was filed on August 30, 2023 (Dkt. 93).
- d. A stipulation to enlarge time to file answer by 14 days to October 18, 2023 was filed on September 26, 2023 (Dkt. 95) and granted on September 27, 2023 (Dkt. 96).
- e. A stipulation under Civil Local Rule 6-1(a) to extend time for Plaintiff to object/respond to Defendant Kirkland & Ellis LLP's First Sets of Interrogatories and Requests for Production to November 8, 2023 was filed on October 6, 2023 (Dkt. 100).
- f. A stipulation under Civil Local Rules 6-1(b) and 6-2 to extend time regarding Defendants' Motion to Dismiss Plaintiff's First Amended Complaint was filed on October 27, 2023 (Dkt. 104) and granted on October 30, 2023 (Dkt. 106).
- g. A stipulation to specially set briefing schedule on Motion to Quash and Reset Hearing date was filed on December 27, 2023 (Dkt. No. 114) and was granted on December 28, 2023 (Dkt. No. 115).
- h. A stipulation to extend the deadline to respond to Plaintiff's First Requests for Production to all Defendants to June 19, 2024 was filed on May 9, 2024 (Dkt.

1 136) and granted on the same day (Dkt. 138).

2 4. The extension of the deadlines requested by the parties would have no effect on  
3 the other dates in the Court's scheduling order.

4 I declare under penalty of perjury under the laws of the United States of America that the  
5 foregoing is true and correct. Executed on March 3, 2025.

6  
7 /s/ Joseph C. Liburt  
Joseph C. Liburt  
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